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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/520,302

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Marcus Albrecht

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EXAMINER

CHAUDRY, ATIF H

ART UNIT

PAPER NUMBER

4156

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/520,302	Applicant(s) ALBRECHT ET AL.	
	Examiner Atif H. Chaudry	Art Unit 4156	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim 11 is objected to because of the following informalities: in line 1, the recitation of “any” should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 and 12 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Regarding claim 1, it is not clear as to what is being claimed. Is the substance being positively claimed start after “Method for supplying a paint application device with paint, in which” or after “the method comprising”. For purpose of prior art search all the elements after “Method for supplying a paint application device with paint, in which” have been considered.

4. Regarding claim 12, the wording “components” is indefinite. Also the wording “artificially increased” is not clear as to its meaning.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1, 2, 3, 6, 7, 8, 9, 10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ott (US Patent 6589348) and further in view of Gawne (US Patent 5882428).

3. Regarding claim 1, Ott (abstract, lines 2-4) discloses a method of conveying paint between two pigs through a conveying line wherein the pigs are transported by compressed air pushing from one side. Ott fails to disclose a method of cleaning the path. Gawne (abstract, lines 8 thru 13) teaches a method of flushing the flow path by inserting a solvent between the two pigs. It would have been obvious to a person having ordinary skill in the art that in order to clean the flow path, the cleaning solvent insertion between the pigs taught by Gawne can be used in the system disclosed by Ott. One of ordinary skill in the art could have combined the elements as claimed by Ott and Gawne and in combination, each element merely would have performed the same function as it did separately. It would be predictable to a person of ordinary skills in the art that the results of the combination would be same as stated in the claim.

4. Regarding claim 2 (dependent), Gawne (column1, line 45) teaches that the solvent for cleaning can be a liquid.

5. Regarding claim 3 (dependent), Ott (abstract) discloses that the thrust medium for the pigs can be compressed air.
6. Regarding claim 5 (dependent), Ott (fig 2 and 3) illustrates two pigs together (fig 2) in absence of paint and the pigs apart (fig 3, Items 3 and 22) due to paint introduced between them.
7. Regarding claim 6 (dependent), Ott (column 3, lines 15-23) discloses specific quantities of paint introduced between the pigs, and also discloses (column 4, lines 3-10) pushing of the pigs by pushing medium (compressed air).
8. Regarding claim 7 (dependent), Gawne (abstract, lines 8 thru 13) teaches a method of flushing the flow path by inserting a solvent between the two pigs. It would have been obvious to a person having ordinary skill in the art that during the process of inserting solvent at least one of the pigs would necessarily move by introducing the fluid in between the pigs.
9. Regarding claim 8 (dependent), Gawne (column 1, line 46) teaches pig positioning sensors, which can be used to determine the pig position and start or stop the flow of flushing medium. It also teaches (column 2 line 52-55) a method of pushing the pigs and cleaning agent.
10. Regarding claim 9 (dependent), Gawne (column 2, lines 16-33) teaches a method of cleaning the system for a color change.
11. Regarding claim 10 (dependent), Gawne (column 2, lines 16-33) teaches a method of cleaning the system for a color change but it fails to teach alternate flushing with compressed air and cleaning agent. However, it would have been obvious to a

person having ordinary skill in the art that in order for thorough cleaning, compressed air could also be deployed alternatively as a cleaning medium.

12. Regarding claims 11 and 12, Ott discloses (abstract) an electrostatic paint atomizer connected to a discharge station at high voltage, which has a sensor to sense the presence of pigs, and to discharge paint upon sensing the pigs in the sensing area.

13. Claim 4 (dependent) rejected under 35 U.S.C. 103(a) as being unpatentable over Ott (US Patent 6589348) and further in view of Gawne (US Patent 5882428) and Kendall (US Patent 5855062).

14. Regarding claim 4, which is dependent on claim 3 and adds a method to adjust the velocity of the pigs. Kendall (column 5, lines 52-57) teaches regulating the pig speed by using valves to controlling airflow. It would have been obvious to a person having ordinary skill in the art that in order to control the speed, one would use the method taught by Kendall to the supply system disclosed by Ott, which would result in better regulated paint supply.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Atif H. Chaudry whose telephone number is 571-270-3768. The examiner can normally be reached on Mon-Fri, Alternate Friday off 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Isabella can be reached on 571-272-4749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ATIF CHAUDRY
PATENT EXAMINER
11/05/2007

/DAVID J ISABELLA/

Supervisory Patent Examiner, Art Unit 4156